

AO 91 (Rev. 11/11) Criminal Complaint

**FELONY**

United States Courts

**UNITED STATES DISTRICT COURT**

Southern District of Texas

for the  
Southern District of Texas

FILED

May 05, 2025

United States of America

Nathan Ochsner, Clerk of Court

V.

Case No. 1:25-MJ-361-01

Andrew Michael Rubio

*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 4, 2025 in the county of Kenedy in the Southern District of Texas, the defendant(s) violated:

*Code Section*

Title 21, United States Code, Section 841(a)(1) and 846

*Offense Description*

To knowingly and intentionally possess with intent to distribute 18.14 kilograms of cocaine, a Schedule II controlled substance, and did conspire with persons known and unknown to knowingly possess with intent to distribute 18.14 kilograms of cocaine.

This criminal complaint is based on these facts:

SEE ATTACHMENT A.



Continued on the attached sheet.

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed. R. Crim.P. 4.1., on

May 05, 2025

*Date*

Brownsville, Texas

*City and State*



*Complainant's Signature*

Jacob Cox Special Agent

*Printed name and title*



*Judge's signature*

Karen Betancourt, U.S. Magistrate Judge

*Printed name and title*

**ATTACHMENT**

**Affidavit**

**1:25-MJ-361-01**

- 1) On May 4, 2025, Andrew Michael RUBIO (herein after RUBIO) was traveling North on US-77 N and entered the US Border Patrol (BP) Checkpoint at US-77 N, Sarita, Texas 78385. Andrew RUBIO was driving a white tractor-trailer bearing Texas temporary permit 70S115N on the tractor and Texas temporary tag 23N117N on the trailer.
- 2) Upon entering the checkpoint BP Agents (BPAs) questioned RUBIO on his travel and he provided them with a story they found inconsistent based on their training and experience. BPAs asked RUBIO for consent to search and utilize X-ray on his tractor-trailer, to which RUBIO gave consent. BPAs noted tooling on the bolts that attached the suspension airbags of the tractor. After measuring the density of the airbags and determining a significant difference in the airbag's PSI and those of other tractors, BPAs X-rayed the airbags utilizing the Blackhawk 120 handheld device and discovered further anomalies. At this point, BPAs removed the airbags and observed cellophane wrapped bundles utilizing a video scope, these bundles appeared consistent with narcotics. BPAs recovered a total of seventeen (17) bundles containing a white powdery substance, that field-tested positive for the properties of cocaine with a total weight of 18.14 kilograms, were removed from the airbags.
- 3) During his post-Miranda interview RUBIO admitted to knowingly possessing seventeen (17) bundles of cocaine, concealing them in the airbags of his tractor-trailer, with the intent to distribute in Houston, Texas.

Based upon the above, the undersigned believes there is probable cause to believe that Andrew Michael RUBIO has committed crimes in violation of Title 21, United States Code, Section 841(a)(1) and 846; To knowingly and intentionally possess with intent to distribute 18.14 kilograms of cocaine, a Schedule II controlled substance, and did conspire with persons known and unknown to knowingly possess with intent to distribute 18.14 kilograms of cocaine.

  
\_\_\_\_\_  
*Signature*

Jacob Cox, Special Agent

\_\_\_\_\_  
*Printed name and title*

Submitted by reliable electronic means, sworn to, signature  
attested telephonically per Fed. R. Crim.P. 4.1., on

May 05, 2025

\_\_\_\_\_  
*Date*

  
\_\_\_\_\_  
*Judge's Signature*

Karen Betancourt, U.S. Magistrate Judge

\_\_\_\_\_  
*Printed name and title*